

REMARKS

This communication is in response to the Office Action mailed March 5, 2008. In this response, claims 1, 10, 14, 20, 24, 32, and 36 have been amended. Accordingly, claims 1-40 are currently pending.

In the March 5, 2008 Office Action, claims 1-40 were rejected under 35 U.S.C. § 103(a) over U.S. Patent Application No. 2003/0125112 A1 to Silvester ("Silvester") in view of U.S. Patent Application No. 2002/0103029 A1 to Finlayson et al. ("Finlayson") and the game manual for Quake III Arena ("Quake"). Without commenting on or conceding the merits of these rejections, claims 1, 10, 14, 20, 24, 32, and 36 have been amended to further clarify the claimed subject matter. For the reasons discussed below, the combination of Silvester, Finlayson, and Quake does not support a Section 103 rejection of claims 1-40. As a result, the Section 103 rejection of these claims should be withdrawn.

Claim 1 is directed to a computer-implemented method for playing a game. The method includes receiving a request from a first player to enable gate crashing in the game, which is configured in single-player mode. In response to the request from the first player, information is transmitted to a remote computer. In response to transmitting the information to the remote computer, a request from a second player to participate in the game is received. Finally, in response to the request from the second player to participate in the game, control of a character in the game is transitioned from a program routine to the second player.

Silvester discloses a system wherein a host user may broadcast a gaming invitation for a multiplayer game over a computer network. An invitee may accept or reject the gaming invitation. (Silvester, p. 1, [0008].) If the invitee accepts the invitation, multiplayer gaming between the host user and the invitee may begin. (Silvester, p. 1, [0008].) Alternatively, a party may request to join a game in progress if room is

available in the game. (Silvester, p. 2, [0017].) If a party requests to join the game, the party's request is presented to the host user, who may reject or accept the request. (Silvester, p. 2, [0017].)

Finlayson discloses a method of administrating a live electronic card game in which two or more players wager in a networked environment. (Finlayson, p. 1, [0007].) A game may begin with multiple players. If a player leaves the game for any reason, the system announces to the other players in the game that the player has been lost. (Finlayson, p. 2, [0015].) If a player is lost, the system may replace the lost player with a virtual player. (Finlayson, p. 3, [0041].) The virtual player may continue to play the card game as the lost player. (Finlayson, p. 3, [0041].)

Quake discloses a multiplayer first person shooter video game. A user may select to play a multiplayer game on a local network server or a server available over the Internet. (Quake, p. 20.) The user may create a multiplayer game that is open to network and Internet players. (Quake, p. 22.) The user may select an arena in which to play and edit a player list that designates how many players can be in the game. (Quake, p. 22.) The user can allow other human players to enter the game over the network connection by changing a player slot to "Open." (Quake, p. 22.) If a user changes a player slot to "Bot," a computer plays as that opponent and a human player cannot subsequently join in that slot. (See Quake, p. 22.)

The combination of Silvester, Finlayson, and Quake does not support a Section 103 rejection of claim 1, as amended, because the combination of these references does not teach or suggest several features of this claim. For example, Silvester, Finlayson, and Quake do not disclose "receiving a request from a first player to enable gate crashing in the game, wherein the game is configured in single-player mode." Silvester, Finlayson, and Quake each teach that a game must be played in a multi-player mode in order to enable other players to join the game. For instance, in Silvester, a host user must send a gaming invitation for **multiplayer** gaming or a

multiplayer game must have space already available in order to allow another player to join the game. (Silvester, p. 2, [0016]-[0017], Fig. 3.) Similarly, in Finlayson, a user may host a card game in which **two or more** players wager in a networked environment. (Finlayson, p. 1, [0007].) Finally, in Quake, a user must select to host a **multiplayer** game in order to allow other players to join. (Quake, p. 22.) While Quake describes a single-player mode game, a second player may not gate-crash in the single-player mode game. Neither Finlayson nor Silvester describes a single-player mode game. Consequently, none of the cited references teach or suggest the feature of allowing a first player to enable gate crashing in a game that is configured in single-player mode, as recited in claim 1. Accordingly, for at least the reasons discussed above, the Section 103 rejection of claim 1 should be withdrawn.

Claims 2-5 depend from claim 1. Accordingly, the Section 103(a) rejection of claims 2-5 should be withdrawn for the reasons discussed above with reference to claim 1 and for the additional features of these claims.

Independent claims 6, 10, 20, 24, 32, and 36 contain subject matter generally analogous to that of claim 1. As a result, claim 6, 10, 20, 24, 32, and 36 are also patentable over the applied art for the reasons discussed above with reference to claim 1 and for the additional features of these claims.

Claims 7-9, 11-13, 21-23, 25-31, and 37-40 depend from either claim 6, 10, 20, 24, 32, or 36. Accordingly, the Section 103(a) rejection of claims 7-9, 11-13, 21-23, 25-31, and 37-40 should be withdrawn for the reasons discussed above with reference to claims 6, 10, 20, 24, 32, and 36, respectively, and for the additional features of these claims.

Independent claim 14 is directed to a computer-readable medium having computer-executable instructions for performing steps. The steps include receiving a request from a first player to enable gate crashing in a game. In response to the

request from the first player, information is transmitted to a remote computer. In response to transmitting the information to the remote computer, a request is received from a second player to participate in the game. Finally, in response to the request from the second player to participate in the game, control of a character in the game is transitioned from a program routine to the second player. The participation by the second player is not apparent to the first player and the first player is not alerted to which character the second player controls.

The combination of Silvester, Finlayson, and Quake does not support a Section 103 rejection of claim 14 because the combination of these references does not teach or suggest several features of this claim. For example, Silvester, Finlayson, and Quake do not disclose: "in response to the request from the second player to participate in the game, transitioning control of a character in the game from a program routine to the second player, wherein the first player is not aware of the second player's participation in the game, and wherein the first player is not alerted to which character the second player controls." Instead, Silvester, Finlayson, and Quake each teach that the first player designates which character(s), bot(s), or player slot(s) a second user may control upon joining the game.

For instance, in Silvester, the first player either sends an invitation to other players to join a game, or the first player is presented with the option of accepting a party to the game if that party requests to join. (Silvester, p. 2, [0016]-[0017].) In either scenario, the first player is aware of a second player's participation in the game. Finlayson describes scenarios in which a player disconnects from the host during multiplayer gaming and a virtual "stand-in" participates for the lost player. (Finlayson, p. 3-5.) Thus, even assuming for the sake of argument that a player may re-enter the game for the stand-in, other players are aware of which player slot the returning player is controlling upon return. Finally, in Quake, in order to allow other players to join a multiplayer game, the host player must designate a player slot as "open." (Quake,

p. 22.) The host player is thereby aware of the second player's participation in the game and alerted to which character a second player controls. Accordingly, for at least the reasons discussed above, the Section 103 rejection of claim 14 should be withdrawn.

Claims 15-19 depend from claim 14. Accordingly, the Section 103(a) rejection of claims 15-19 should be withdrawn for the reasons discussed above with reference to claim 14 and for the additional features of these claims.

In view of the foregoing, the pending claims comply with the requirements of 35 U.S.C. § 112 and are patentable over the applied art. The applicants accordingly request reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact the undersigned representative.

Please charge any deficiencies or credit any overpayment to our Deposit Account No. 50-0665, under Order No. 418268014US from which the undersigned is authorized to draw.

Dated: June 5, 2008

Respectfully submitted,

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